

June 28, 2001

The Honorable Stuart B. Fallen
Clerk of the Circuit Court
County of Charlotte

Board of Supervisors
County of Charlotte

We have audited the cash receipts and disbursements of the Clerk of the Circuit Court of the County of Charlotte for the period October 1, 1999 through March 31, 2001.

Our primary objectives were to test the accuracy of financial transactions recorded on the Court's financial management system; evaluate the Court's internal controls; and test its compliance with significant state laws, regulations, and policies. However, our audit was more limited than would be necessary to provide assurance on the internal controls or on overall compliance with applicable laws, regulations, and policies.

The results of our tests found the Court properly stated, in all material respects, the amounts recorded and reported in the financial management system. However, we noted a weakness in internal controls and noncompliance with state laws, regulations, and policies that the Clerk needs to address as described below.

Properly Document Due Date Changes and Report Unpaid Amounts to the Department of Motor Vehicles

The Clerk does not properly document due date changes as required by the Code of Virginia Section 19.2-354. Court staff routinely alters the due dates without appropriate documentation. All fines and costs are payable immediately upon final disposition unless otherwise ordered by the court or evidenced by a written payment plan. Court staff should not alter due dates unless they have an established or revised payment agreement.

As a result of the improper due date changes, the court did not report 35 percent of unpaid cases tested timely to the Department of Motor Vehicles for license suspension. There were delays of up to four and a half months after the default date. We found an additional 24 percent of unpaid cases tested not involving improper due date changes were reported up to two and a half months after the default date or not at all. Court staff should report unpaid cases to the Department of Motor Vehicles 10 days after the defendant defaults on payments.

We discussed these comments with the Clerk on June 28, 2001 and we acknowledge the cooperation extended to us by the court during this engagement.

AUDITOR OF PUBLIC ACCOUNTS

WJK:aom

cc: The Honorable Leslie M. Osborn, Chief Judge
R.B. Clark, County Administrator
Bruce Haynes, Executive Secretary
Compensation Board
Don Lucido, Director of Technical Assistance
Supreme Court of Virginia
Martin Watts, Court Analyst
Supreme Court of Virginia
Paul Delosh, Technical Assistance
Supreme Court of Virginia